

Amend claim 40 as follows:

B²
--40. (twice amended) cDNA or mRNA expressing human TSH-R (thyotropin receptor) stably transfected with a reporter construct comprising cDNA of both
(i) a reactant capable of causing a measurable response when brought into contact with a corresponding substrate, and
(ii) a promoter comprising no more than two cAMP response elements (CREs),
whereby levels of the reactant vary with induced endogenous cAMP levels. --

R E M A R K S

At the outset, Applicant would like to thank Examiner Nolan for his time and consideration of the present application at the interview of December 12, 2002 with the undersigned Agent. At the interview, the contentions of the outstanding Official Action were discussed.

In the outstanding Official Action, claims 36, 38-40, 42 and 44-45 were rejected under 35 USC §103 as allegedly being unpatentable over LUDGATE et al. in view of HIMMLER et al. In light of the present amendment, this rejection is respectfully traversed.

Claim 36 relates to a clone expressing human thyotropin receptor (TSH-R) stably transfected with a reporter construct comprising cDNA of both a reactant capable of causing a